



General Assembly

Substitute Bill No. 5431

January Session, 2011

* _____HB05431ED_APP032411_____*

**AN ACT CONCERNING THE RESPONSE OF SCHOOL DISTRICTS
AND THE DEPARTMENTS OF EDUCATION AND CHILDREN AND
FAMILIES TO REPORTS OF CHILD ABUSE AND NEGLECT.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-221d of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2011*):

3 (a) Each local and regional board of education shall (1) require each
4 applicant for a position in a public school to state whether such person
5 has ever been convicted of a crime or whether criminal charges are
6 pending against such person at the time of such person's application,
7 (2) require each applicant for a position in a public school to submit to
8 a records check of the Department of Children and Families child
9 abuse and neglect registry established pursuant to section 17a-101k,
10 before such applicant may be hired by such board, (3) require, subject
11 to the provisions of subsection (d) of this section, each person hired by
12 the board after July 1, 1994, to submit to state and national criminal
13 history records checks within thirty days from the date of employment
14 and may require, subject to the provisions of subsection (d) of this
15 section, any person hired prior to said date to submit to state and
16 national criminal history records checks, and [(3)] (4) require each
17 worker (A) placed within a school under a public assistance
18 employment program, (B) employed by a provider of supplemental
19 services pursuant to the No Child Left Behind Act, P.L. 107-110, or (C)

20 on and after July 1, 2010, in a nonpaid, noncertified position
21 completing preparation requirements for the issuance of an educator
22 certificate pursuant to chapter 166, who performs a service involving
23 direct student contact to submit to state and national criminal history
24 records checks within thirty days from the date such worker begins to
25 perform such service. The criminal history records checks required by
26 this subsection shall be conducted in accordance with section 29-17a. If
27 the local or regional board of education receives notice of a conviction
28 of a crime which has not previously been disclosed by such person to
29 the board, the board may (i) terminate the contract of a certified
30 employee, in accordance with the provisions of section 10-151, and (ii)
31 dismiss a noncertified employee provided such employee is notified of
32 the reason for such dismissal, is provided the opportunity to file with
33 the board, in writing, any proper answer to such criminal conviction
34 and a copy of the notice of such criminal conviction, the answer and
35 the dismissal order are made a part of the records of the board. In
36 addition, if the local or regional board of education receives notice of a
37 conviction of a crime by a person (I) holding a certificate, authorization
38 or permit issued by the State Board of Education, (II) employed by a
39 provider of supplemental services, or (III) on and after July 1, 2010, in a
40 nonpaid, noncertified position completing preparation requirements
41 for the issuance of an educator certificate pursuant to chapter 166, the
42 local or regional board of education shall send such notice to the State
43 Board of Education. The supervisory agent of a private school may
44 require any applicant for a position in such school or any employee of
45 such school to submit to state and national criminal history records
46 checks in accordance with the procedures described in this subsection.

47 (b) If a local or regional board of education, endowed or
48 incorporated academy approved by the State Board of Education
49 pursuant to section 10-34, or special education facility approved by the
50 State Board of Education pursuant to section 10-76d requests, a
51 regional educational service center shall arrange for the fingerprinting
52 of any person required to submit to state and national criminal history
53 records checks pursuant to this section or for conducting any other

54 method of positive identification required by the State Police Bureau of
55 Identification or the Federal Bureau of Investigation and shall forward
56 such fingerprints or other positive identifying information to the State
57 Police Bureau of Identification which shall conduct criminal history
58 records checks in accordance with section 29-17a. Such regional
59 educational service centers shall provide the results of such checks to
60 such local or regional board of education, endowed or incorporated
61 academy or special education facility. Such regional educational
62 service centers shall provide such results to any other local or regional
63 board of education or regional educational service center upon the
64 request of such person.

65 (c) State and national criminal history records checks for substitute
66 teachers completed within one year prior to the date of employment
67 with a local or regional board of education and submitted to the
68 employing board of education shall meet the requirements of
69 subdivision [(2)] (3) of subsection (a) of this section. A local or regional
70 board of education shall not require substitute teachers to submit to
71 state and national criminal history records checks pursuant to
72 subdivision [(2)] (3) of subsection (a) of this section if they are
73 continuously employed by such local or regional board of education.
74 For purposes of this section, substitute teachers shall be deemed to be
75 continuously employed by a local or regional board of education if
76 they are employed at least one day of each school year by such local or
77 regional board of education.

78 (d) (1) The provisions of this section shall not apply to a person
79 required to submit to a criminal history records check pursuant to the
80 provisions of subsection [(d)] (e) of section 14-44.

81 (2) The provisions of this section shall not apply to a student
82 employed by the local or regional school district in which the student
83 attends school.

84 (3) The provisions of subsection (a) of this section requiring state
85 and national criminal history records checks shall, at the discretion of a

86 local or regional board of education, apply to a person employed by a
87 local or regional board of education as a teacher for a noncredit adult
88 class or adult education activity, as defined in section 10-67, who is not
89 required to hold a teaching certificate pursuant to section 10-145b for
90 his or her position.

91 (e) The State Board of Education shall submit, periodically, a
92 database of applicants for an initial issuance of certificate,
93 authorization or permit pursuant to sections 10-144o to 10-149,
94 inclusive, to the State Police Bureau of Identification. The State Police
95 Bureau of Identification shall conduct a state criminal history records
96 check against such database and notify the State Board of Education of
97 any such applicant who has a criminal conviction. The State Board of
98 Education shall not issue a certificate, authorization or permit until it
99 receives and evaluates the results of such check and may deny an
100 application in accordance with the provisions of subsection (j) of
101 section 10-145b.

102 (f) The State Board of Education shall submit, periodically, a
103 database of all persons who hold certificates, authorizations or permits
104 to the State Police Bureau of Identification. The State Police Bureau of
105 Identification shall conduct a state criminal history records check
106 against such database and shall notify the State Board of Education of
107 any such person who has a criminal conviction. The State Board of
108 Education may revoke the certificate, authorization or permit of such
109 person in accordance with the provisions of subsection (j) of section 10-
110 145b.

111 (g) The State Board of Education shall require each applicant
112 seeking an initial issuance or renewal of a certificate, authorization or
113 permit pursuant to sections 10-144o to 10-149, inclusive, to submit to a
114 records check of the Department of Children and Families child abuse
115 and neglect registry established pursuant to section 17a-101k. If
116 notification is received that the applicant is listed as a perpetrator of
117 abuse or neglect on the Department of Children and Families child
118 abuse and neglect registry, the board shall deny an application for the

119 certificate, authorization or permit in accordance with the provisions of
120 subsection (j) of section 10-145b or may revoke the certificate,
121 authorization or permit in accordance with the provisions of said
122 subsection (j).

123 Sec. 2. Subsection (f) of section 17a-28 of the general statutes is
124 repealed and the following is substituted in lieu thereof (*Effective*
125 *July 1, 2011*):

126 (f) The commissioner or the commissioner's designee shall, upon
127 request, promptly provide copies of records, without the consent of a
128 person, to (1) a law enforcement agency, (2) the Chief State's Attorney,
129 or the Chief State's Attorney's designee, or a state's attorney for the
130 judicial district in which the child resides or in which the alleged abuse
131 or neglect occurred, or the state's attorney's designee, for purposes of
132 investigating or prosecuting an allegation of child abuse or neglect, (3)
133 the attorney appointed to represent a child in any court in litigation
134 affecting the best interests of the child, (4) a guardian ad litem
135 appointed to represent a child in any court in litigation affecting the
136 best interests of the child, (5) the Department of Public Health, in
137 connection with: (A) Licensure of any person to care for children for
138 the purposes of determining the suitability of such person for
139 licensure, subject to the provisions of sections 17a-101g, as amended by
140 this act, and 17a-101k, or (B) an investigation conducted pursuant to
141 section 19a-80f, (6) any state agency which licenses such person to
142 educate or care for children pursuant to section 10-145b or 17a-101j,
143 subject to the provisions of sections 17a-101g, as amended by this act,
144 and 17a-101k concerning nondisclosure of findings of responsibility for
145 abuse and neglect, (7) the Governor, when requested in writing, in the
146 course of the Governor's official functions or the Legislative Program
147 Review and Investigations Committee, the joint standing committee of
148 the General Assembly having cognizance of matters relating to the
149 judiciary and the select committee of the General Assembly having
150 cognizance of matters relating to children when requested in the
151 course of said committees' official functions in writing, and upon a

majority vote of said committee, provided no names or other identifying information shall be disclosed unless it is essential to the legislative or gubernatorial purpose, (8) a local or regional board of education, provided the records are limited to (A) educational records created or obtained by the state or Connecticut-Unified School District #2, established pursuant to section 17a-37, or (B) inclusion on the Department of Children and Families child abuse and neglect registry established pursuant to section 17a-101k, subject to the provisions of sections 17a-101g, as amended by this act, and 17a-101k concerning nondisclosure of findings of responsibility for abuse and neglect, (9) a party in a custody proceeding under section 17a-112 or 46b-129, in the Superior Court where such records concern a child who is the subject of the proceeding or the parent of such child, (10) the Chief Child Protection Attorney, or his or her designee, for purposes of ensuring competent representation by the attorneys whom the Chief Child Protection Attorney contracts with to provide legal and guardian ad litem services to the subjects of such records and to ensure accurate payments for services rendered by such contract attorneys, (11) the Department of Motor Vehicles, for purposes of checking the state's child abuse and neglect registry pursuant to subsection (e) of section 14-44, and (12) a judge of the Superior Court and all necessary parties in a family violence proceeding when such records concern family violence with respect to the child who is the subject of the proceeding or the parent of such child who is the subject of the proceeding. A disclosure under this section shall be made of any part of a record, whether or not created by the department, provided no confidential record of the Superior Court shall be disclosed other than the petition and any affidavits filed therewith in the superior court for juvenile matters, except upon an order of a judge of the Superior Court for good cause shown. The commissioner shall also disclose the name of any individual who cooperates with an investigation of a report of child abuse or neglect to such law enforcement agency or state's attorney for purposes of investigating or prosecuting an allegation of child abuse or neglect. The commissioner or the commissioner's designee shall, upon request, subject to the provisions of sections 17a-

187 101g, as amended by this act, and 17a-101k, promptly provide copies
188 of records, without the consent of the person, to (A) the Department of
189 Public Health for the purpose of determining the suitability of a person
190 to care for children in a facility licensed under sections 19a-77 to 19a-
191 80, inclusive, 19a-82 to 19a-87, inclusive, and 19a-87b, [and] (B) the
192 Department of Social Services for determining the suitability of a
193 person for any payment from the department for providing child care,
194 and (C) the superintendent of schools for any school district for the
195 purpose of determining the suitability of a person to be employed by
196 the local or regional board of education for such school district.

197 Sec. 3. Section 17a-101 of the general statutes is repealed and the
198 following is substituted in lieu thereof (*Effective July 1, 2011*):

199 (a) The public policy of this state is: To protect children whose
200 health and welfare may be adversely affected through injury and
201 neglect; to strengthen the family and to make the home safe for
202 children by enhancing the parental capacity for good child care; to
203 provide a temporary or permanent nurturing and safe environment for
204 children when necessary; and for these purposes to require the
205 reporting of suspected child abuse or neglect, investigation of such
206 reports by a social agency, and provision of services, where needed, to
207 such child and family.

208 (b) The following persons shall be mandated reporters: Any
209 physician or surgeon licensed under the provisions of chapter 370, any
210 resident physician or intern in any hospital in this state, whether or not
211 so licensed, any registered nurse, licensed practical nurse, medical
212 examiner, dentist, dental hygienist, psychologist, [coach of intramural
213 or interscholastic athletics, school superintendent, school teacher,
214 school principal, school guidance counselor, school paraprofessional,
215 school coach] a school employee, as defined in section 53a-65, social
216 worker, police officer, juvenile or adult probation officer, juvenile or
217 adult parole officer, member of the clergy, pharmacist, physical
218 therapist, optometrist, chiropractor, podiatrist, mental health
219 professional or physician assistant, any person who is a licensed or

220 certified emergency medical services provider, any person who is a
221 licensed or certified alcohol and drug counselor, any person who is a
222 licensed marital and family therapist, any person who is a sexual
223 assault counselor or a battered women's counselor as defined in
224 section 52-146k, any person who is a licensed professional counselor,
225 any person who is a licensed foster parent, any person paid to care for
226 a child in any public or private facility, child day care center, group
227 day care home or family day care home licensed by the state, any
228 employee of the Department of Children and Families, any employee
229 of the Department of Public Health who is responsible for the licensing
230 of child day care centers, group day care homes, family day care
231 homes or youth camps, the Child Advocate and any employee of the
232 Office of the Child Advocate and any family relations counselor,
233 family relations counselor trainee or family services supervisor
234 employed by the Judicial Department.

235 (c) The Commissioner of Children and Families shall develop an
236 educational training program and refresher training program for the
237 accurate and prompt identification and reporting of child abuse and
238 neglect. Such training program and refresher training program shall be
239 made available to all persons mandated to report child abuse and
240 neglect at various times and locations throughout the state as
241 determined by the Commissioner of Children and Families. Such
242 training program shall be provided to all new school employees, as
243 defined in section 53a-65, prior to the start of the school year.

244 (d) Any mandated reporter, as defined in subsection (b) of this
245 section, who fails to report to the Commissioner of Children and
246 Families pursuant to section 17a-101a, as amended by this act, shall be
247 required to participate in an educational and training program
248 established by the commissioner. The program may be provided by
249 one or more private organizations approved by the commissioner,
250 provided the entire costs of the program shall be paid from fees
251 charged to the participants, the amount of which shall be subject to the
252 approval of the commissioner.

253 (e) On or before October 1, 2011, the Department of Children and
254 Families, in consultation with the Department of Education, shall
255 develop a model mandated reporting policy for use by local and
256 regional boards of education. Such policy shall state applicable state
257 law regarding mandated reporting and any relevant information that
258 may assist school districts in the performance of mandated reporting.
259 Such policy shall include, but not be limited to, the following
260 information: (1) Those persons employed by the local or regional board
261 of education who are required pursuant to this section to be mandated
262 reporters, (2) the type of information that is to be reported, (3) the time
263 frame for both written and verbal mandated reports, (4) a statement
264 that the school district may conduct its own investigation into an
265 allegation of abuse or neglect by a school employee, provided such
266 investigation does not impede an investigation by the Department of
267 Children and Families, and (5) a statement that retaliation against
268 mandated reporters is prohibited. Such policy shall be updated and
269 revised as necessary.

270 Sec. 4. Section 17a-101i of the general statutes is repealed and the
271 following is substituted in lieu thereof (*Effective July 1, 2011*):

272 (a) Notwithstanding any provision of the general statutes, after an
273 investigation has been completed and the Commissioner of Children
274 and Families, based upon the results of the investigation, (1) has
275 reasonable cause to believe that a child has been abused or neglected
276 by a school employee, as defined in section 53a-65, who has been
277 entrusted with the care of a child and who holds a certificate, permit or
278 authorization issued by the State Board of Education, [and the
279 commissioner] or (2) has recommended that such employee be placed
280 on the Department of Children and Families child abuse and neglect
281 registry established pursuant to section 17a-101k, the commissioner
282 shall, not later than five working days after such finding, notify the
283 employing superintendent and the Commissioner of Education of such
284 finding and shall provide records, whether or not created by the
285 department, concerning such investigation to the superintendent

286 [who] and the Commissioner of Education. The superintendent shall
287 suspend such school employee. The [commissioner] Commissioner of
288 Children and Families shall provide such notice whether or not the
289 child was a student in the employing school or school district. Such
290 suspension shall be with pay and shall not result in the diminution or
291 termination of benefits to such employee. [Within] Not later than
292 seventy-two hours after such suspension the superintendent shall
293 notify the local or regional board of education and the Commissioner
294 of Education, or the commissioner's representative, of the reasons for
295 and conditions of the suspension. The superintendent shall disclose
296 such records to the Commissioner of Education and the local or
297 regional board of education or its attorney for purposes of review of
298 employment status or the status of such employee's certificate, permit
299 or authorization. The suspension of a school employee employed in a
300 position requiring a certificate shall remain in effect until the board of
301 education acts pursuant to the provisions of section 10-151. If the
302 contract of employment of such certified school employee is
303 terminated, or such certified school employee resigns such
304 employment, the superintendent shall notify the Commissioner of
305 Education, or the commissioner's representative, within seventy-two
306 hours after such termination. Upon receipt of such notice from the
307 [superintendent] Commissioner of Children and Families, the
308 Commissioner of Education may commence certification revocation
309 proceedings pursuant to the provisions of subsection (j) of section 10-
310 145b. Notwithstanding the provisions of sections 1-210 and 1-211,
311 information received by the Commissioner of Education, or the
312 commissioner's representative, pursuant to this section shall be
313 confidential subject to regulations adopted by the State Board of
314 Education under section 10-145g.

315 (b) [After] Not later than five working days after an investigation
316 has been completed, [and] if (1) the Commissioner of Children and
317 Families, based upon the results of the investigation, has reasonable
318 cause to believe that a child has been abused or neglected by a staff
319 member of a public or private institution or facility providing care for

320 children or private school, [the commissioner shall notify the executive
321 director of such institution, school or facility and shall provide records,
322 whether or not created by the department concerning such
323 investigation to such executive director. Such] and (2) the
324 commissioner recommends that such staff member be placed on the
325 child abuse and neglect registry established pursuant to section 17a-
326 101h, as amended by this act, such institution, school or facility [may]
327 shall suspend such staff person. Such suspension shall be with pay and
328 shall not result in diminution or termination of benefits to such
329 [employee] staff person. Such suspension shall remain in effect until
330 the incident of abuse or neglect has been satisfactorily resolved by the
331 employer of the staff person or until an appeal, conducted in
332 accordance with section 17a-101k, has resulted in a finding that such
333 staff person is not responsible for the abuse or neglect or does not pose
334 a risk to the health, safety or well-being of children. If such staff
335 member has a professional license or certificate issued by the state or a
336 permit or authorization issued by the State Board of Education or if
337 such institution, school or facility has a license or approval issued by
338 the state, the commissioner shall forthwith notify the state agency
339 responsible for issuing such license, certificate, permit, approval or
340 authorization to the staff member and provide records, whether or not
341 created by the department, concerning such investigation.

342 (c) If a school employee, as defined in section 53a-65, or any person
343 holding a certificate, permit or authorization issued by the State Board
344 of Education under the provisions of sections 10-144a to 10-149,
345 inclusive, is convicted of a crime involving an act of child abuse or
346 neglect as described in section 46b-120 or a violation of section 53-21,
347 53a-71 or 53a-73a, the state's attorney for the judicial district in which
348 the conviction occurred shall in writing notify the superintendent of
349 the school district or the supervisory agent of the nonpublic school in
350 which the person is employed and the Commissioner of Education of
351 such conviction.

352 (d) For the purposes of receiving and making reports, notifying and

353 receiving notification, or investigating, pursuant to the provisions of
354 sections 17a-101a to 17a-101h, inclusive, as amended by this act, and
355 17a-103, a superintendent of a school district or a supervisory agent of
356 a nonpublic school may assign a designee to act on such
357 superintendent's or agent's behalf.

358 (e) On or before February 1, [1997] 2012, each local and regional
359 board of education shall adopt a written policy, in accordance with the
360 provisions of subsection (e) of section 17a-101, as amended by this act,
361 regarding the reporting by school employees, as defined in section 53a-
362 65, of suspected child abuse in accordance with sections 17a-101a to
363 17a-101d, inclusive, as amended by this act, and 17a-103. Such policy
364 shall be distributed annually to all school employees employed by the
365 local or regional board of education. The local or regional board of
366 education shall document that all such school employees have
367 received such written policy and completed the training and refresher
368 training programs required by subsection (c) of section 17a-101, as
369 amended by this act.

370 (f) (1) On and after July 1, 2011, all school employees, as defined in
371 section 53a-65, hired by a local or regional board of education on or
372 after said date shall be required to complete the training program
373 developed pursuant to subsection (c) of section 17a-101, as amended
374 by this act. All such school employees shall complete the refresher
375 training program, developed pursuant to subsection (c) of section 17a-
376 101, as amended by this act, not later than three years after completion
377 of the initial training program, and shall thereafter retake such
378 refresher training course at least once every three years.

379 (2) On or before July 1, 2012, all school employees, as defined in
380 section 53a-65, hired by a local or regional board of education before
381 July 1, 2011, shall complete the refresher training program developed
382 pursuant to subsection (c) of section 17a-101, as amended by this act,
383 and shall thereafter retake such refresher training course at least once
384 every three years.

385 Sec. 5. Subsection (a) of section 10-220a of the general statutes is
386 repealed and the following is substituted in lieu thereof (*Effective*
387 *July 1, 2011*):

388 (a) Each local or regional board of education shall provide an in-
389 service training program for its teachers, administrators and pupil
390 personnel who hold the initial educator, provisional educator or
391 professional educator certificate. Such program shall provide such
392 teachers, administrators and pupil personnel with information on (1)
393 the nature and the relationship of drugs, as defined in subdivision (17)
394 of section 21a-240, and alcohol to health and personality development,
395 and procedures for discouraging their abuse, (2) health and mental
396 health risk reduction education which includes, but need not be
397 limited to, the prevention of risk-taking behavior by children and the
398 relationship of such behavior to substance abuse, pregnancy, sexually
399 transmitted diseases, including HIV-infection and AIDS, as defined in
400 section 19a-581, violence, teen dating violence, domestic violence, child
401 abuse and youth suicide, (3) the growth and development of
402 exceptional children, including handicapped and gifted and talented
403 children and children who may require special education, including,
404 but not limited to, children with attention-deficit hyperactivity
405 disorder or learning disabilities, and methods for identifying, planning
406 for and working effectively with special needs children in a regular
407 classroom, (4) school violence prevention, conflict resolution and
408 prevention of bullying, as defined in subsection (a) of section 10-222d,
409 except that those boards of education that implement an evidence-
410 based model approach, consistent with subsection (d) of section 10-
411 145a, subsection (a) of section 10-220a, as amended by this act, sections
412 10-222d, 10-222g and 10-222h, subsection (g) of section 10-233c and
413 sections 1 and 3 of public act 08-160, shall not be required to provide
414 in-service training on prevention of bullying, (5) cardiopulmonary
415 resuscitation and other emergency life saving procedures, (6) computer
416 and other information technology as applied to student learning and
417 classroom instruction, communications and data management, (7) the
418 teaching of the language arts, reading and reading readiness for

419 teachers in grades kindergarten to three, inclusive, [and] (8) second
420 language acquisition in districts required to provide a program of
421 bilingual education pursuant to section 10-17f, and (9) the
422 requirements and obligations of a mandated reporter. Each local and
423 regional board of education may allow any paraprofessional or
424 noncertified employee to participate, on a voluntary basis, in any in-
425 service training program provided pursuant to this section. The State
426 Board of Education, within available appropriations and utilizing
427 available materials, shall assist and encourage local and regional
428 boards of education to include: (A) Holocaust education and
429 awareness; (B) the historical events surrounding the Great Famine in
430 Ireland; (C) African-American history; (D) Puerto Rican history; (E)
431 Native American history; (F) personal financial management; (G)
432 domestic violence and teen dating violence; and (H) topics approved
433 by the state board upon the request of local or regional boards of
434 education as part of in-service training programs pursuant to this
435 subsection.

436 Sec. 6. Section 10-220 of the general statutes is repealed and the
437 following is substituted in lieu thereof (*Effective July 1, 2011*):

438 (a) Each local or regional board of education shall maintain good
439 public elementary and secondary schools, implement the educational
440 interests of the state as defined in section 10-4a and provide such other
441 educational activities as in its judgment will best serve the interests of
442 the school district; provided any board of education may secure such
443 opportunities in another school district in accordance with provisions
444 of the general statutes and shall give all the children of the school
445 district as nearly equal advantages as may be practicable; shall provide
446 an appropriate learning environment for its students which includes
447 (1) adequate instructional books, supplies, materials, equipment,
448 staffing, facilities and technology, (2) equitable allocation of resources
449 among its schools, (3) proper maintenance of facilities, and (4) a safe
450 school setting; shall, in accordance with the provisions of subsection (f)
451 of this section, maintain records of allegations, investigations and

452 reports that a child has been abused or neglected by a school
453 employee, as defined in section 53a-65, employed by the local or
454 regional board of education; shall have charge of the schools of its
455 respective school district; shall make a continuing study of the need for
456 school facilities and of a long-term school building program and from
457 time to time make recommendations based on such study to the town;
458 shall adopt and implement an indoor air quality program that
459 provides for ongoing maintenance and facility reviews necessary for
460 the maintenance and improvement of the indoor air quality of its
461 facilities; shall adopt and implement a green cleaning program,
462 pursuant to section 10-231g, that provides for the procurement and use
463 of environmentally preferable cleaning products in school buildings
464 and facilities; shall report biennially to the Commissioner of Education
465 on the condition of its facilities and the action taken to implement its
466 long-term school building program, indoor air quality program and
467 green cleaning program, which report the Commissioner of Education
468 shall use to prepare a biennial report that said commissioner shall
469 submit in accordance with section 11-4a to the joint standing
470 committee of the General Assembly having cognizance of matters
471 relating to education; shall advise the Commissioner of Education of
472 the relationship between any individual school building project
473 pursuant to chapter 173 and such long-term school building program;
474 shall have the care, maintenance and operation of buildings, lands,
475 apparatus and other property used for school purposes and at all times
476 shall insure all such buildings and all capital equipment contained
477 therein against loss in an amount not less than eighty per cent of
478 replacement cost; shall determine the number, age and qualifications
479 of the pupils to be admitted into each school; shall develop and
480 implement a written plan for minority staff recruitment for purposes
481 of subdivision (3) of section 10-4a; shall employ and dismiss the
482 teachers of the schools of such district subject to the provisions of
483 sections 10-151 and 10-158a; shall designate the schools which shall be
484 attended by the various children within the school district; shall make
485 such provisions as will enable each child of school age residing in the
486 district to attend some public day school for the period required by

487 law and provide for the transportation of children wherever
488 transportation is reasonable and desirable, and for such purpose may
489 make contracts covering periods of not more than five years; may
490 place in an alternative school program or other suitable educational
491 program a pupil enrolling in school who is nineteen years of age or
492 older and cannot acquire a sufficient number of credits for graduation
493 by age twenty-one; may arrange with the board of education of an
494 adjacent town for the instruction therein of such children as can attend
495 school in such adjacent town more conveniently; shall cause each child
496 five years of age and over and under eighteen years of age who is not a
497 high school graduate and is living in the school district to attend
498 school in accordance with the provisions of section 10-184, and shall
499 perform all acts required of it by the town or necessary to carry into
500 effect the powers and duties imposed by law.

501 (b) The board of education of each local or regional school district
502 shall, with the participation of parents, students, school administrators,
503 teachers, citizens, local elected officials and any other individuals or
504 groups such board shall deem appropriate, prepare a statement of
505 educational goals for such local or regional school district. The
506 statement of goals shall be consistent with state-wide goals pursuant to
507 subsection (c) of section 10-4. Each local or regional board of education
508 shall develop student objectives which relate directly to the statement
509 of educational goals prepared pursuant to this subsection and which
510 identify specific expectations for students in terms of skills, knowledge
511 and competence.

512 (c) Annually, each local and regional board of education shall
513 submit to the Commissioner of Education a strategic school profile
514 report for each school under its jurisdiction and for the school district
515 as a whole. The superintendent of each local and regional school
516 district shall present the profile report at the next regularly scheduled
517 public meeting of the board of education after each November first.
518 The profile report shall provide information on measures of (1) student
519 needs, (2) school resources, including technological resources and

520 utilization of such resources and infrastructure, (3) student and school
521 performance, including truancy, (4) the number of students enrolled in
522 an adult high school credit diploma program, pursuant to section 10-
523 69, operated by a local or regional board of education or a regional
524 educational service center, (5) equitable allocation of resources among
525 its schools, (6) reduction of racial, ethnic and economic isolation, and
526 (7) special education. For purposes of this subsection, measures of
527 special education include (A) special education identification rates by
528 disability, (B) rates at which special education students are exempted
529 from mastery testing pursuant to section 10-14q, (C) expenditures for
530 special education, including such expenditures as a percentage of total
531 expenditures, (D) achievement data for special education students, (E)
532 rates at which students identified as requiring special education are no
533 longer identified as requiring special education, (F) the availability of
534 supplemental educational services for students lacking basic
535 educational skills, (G) the amount of special education student
536 instructional time with nondisabled peers, (H) the number of students
537 placed out-of-district, and (I) the actions taken by the school district to
538 improve special education programs, as indicated by analyses of the
539 local data provided in subparagraphs (A) to (H), inclusive, of this
540 subdivision. The superintendent shall include in the narrative portion
541 of the report information about parental involvement and if the district
542 has taken measures to improve parental involvement, including, but
543 not limited to, employment of methods to engage parents in the
544 planning and improvement of school programs and methods to
545 increase support to parents working at home with their children on
546 learning activities. For purposes of this subsection, measures of
547 truancy include the type of data that is required to be collected by the
548 Department of Education regarding attendance and unexcused
549 absences in order for the department to comply with federal reporting
550 requirements. Such truancy data shall be considered a public record
551 for purposes of chapter 14.

552 (d) Prior to January 1, 2008, and every five years thereafter, for
553 every school building that is or has been constructed, extended,

renovated or replaced on or after January 1, 2003, a local or regional board of education shall provide for a uniform inspection and evaluation program of the indoor air quality within such buildings, such as the Environmental Protection Agency's Indoor Air Quality Tools for Schools Program. The inspection and evaluation program shall include, but not be limited to, a review, inspection or evaluation of the following: (1) The heating, ventilation and air conditioning systems; (2) radon levels in the air; (3) potential for exposure to microbiological airborne particles, including, but not limited to, fungi, mold and bacteria; (4) chemical compounds of concern to indoor air quality including, but not limited to, volatile organic compounds; (5) the degree of pest infestation, including, but not limited to, insects and rodents; (6) the degree of pesticide usage; (7) the presence of and the plans for removal of any hazardous substances that are contained on the list prepared pursuant to Section 302 of the federal Emergency Planning and Community Right-to-Know Act, 42 USC 9601 et seq.; (8) ventilation systems; (9) plumbing, including water distribution systems, drainage systems and fixtures; (10) moisture incursion; (11) the overall cleanliness of the facilities; (12) building structural elements, including, but not limited to, roofing, basements or slabs; (13) the use of space, particularly areas that were designed to be unoccupied; and (14) the provision of indoor air quality maintenance training for building staff. Local and regional boards of education conducting evaluations pursuant to this subsection shall make available for public inspection the results of the inspection and evaluation at a regularly scheduled board of education meeting and on the board's or each individual school's web site.

(e) Each local and regional board of education shall establish a school district curriculum committee. The committee shall recommend, develop, review and approve all curriculum for the local or regional school district.

(f) Each local and regional board of education shall maintain in a central location all records of allegations, investigations and reports

587 that a child has been abused or neglected by a school employee, as
588 defined in section 53a-65, employed by the local or regional board of
589 education, conducted pursuant to sections 17a-101a to 17a-101d,
590 inclusive, as amended by this act, and section 17a-103. Such records
591 shall include any reports made to the Department of Children and
592 Families. The Department of Education shall have access to such
593 records.

594 Sec. 7. (NEW) (*Effective July 1, 2011*) (a) If the Commissioner of
595 Children and Families suspects or knows that a mandated reporter, as
596 defined in section 17a-101 of the general statutes, as amended by this
597 act, employed by a local or regional board of education, has failed to
598 make a report that a child has been abused or neglected or placed in
599 immediate risk of serious harm within the time period prescribed in
600 sections 17a-101a to 17a-101d, inclusive, of the general statutes, as
601 amended by this act, and section 17a-103 of the general statutes, the
602 commissioner shall make a record of such delay and develop and
603 maintain a database of such records. The commissioner shall
604 investigate such delayed reporting. Such investigation shall be
605 conducted in accordance with the policy developed in subsection (b) of
606 this section, and include the actions taken by the employing local or
607 regional board of education or superintendent of schools for the
608 district in response to such employee's failure to report.

609 (b) The Department of Children and Families shall develop a policy
610 for the investigation of delayed reports by mandated reporters. Such
611 policy shall include, but not be limited to, when referrals to the
612 appropriate law enforcement agency for delayed reporting are
613 required and when the department shall require mandated reporters
614 who have been found to have delayed making a report to participate in
615 the educational and training program pursuant to subsection (d) of
616 section 17a-101 of the general statutes, as amended by this act.

617 Sec. 8. Section 17a-101a of the general statutes is repealed and the
618 following is substituted in lieu thereof (*Effective July 1, 2011*):

619 Any mandated reporter, as defined in section 17a-101, as amended
620 by this act, who in the ordinary course of such person's employment or
621 profession has reasonable cause to suspect or believe that any child
622 under the age of eighteen years (1) has been abused or neglected, as
623 defined in section 46b-120, (2) has had nonaccidental physical injury,
624 or injury which is at variance with the history given of such injury,
625 inflicted upon such child, or (3) is placed at imminent risk of serious
626 harm, shall report or cause a report to be made in accordance with the
627 provisions of sections 17a-101b to 17a-101d, inclusive, as amended by
628 this act. Any person required to report under the provisions of this
629 section who fails to make such report or fails to make such report
630 within the time period prescribed in sections 17a-101b to 17a-101d,
631 inclusive, as amended by this act, and section 17a-103 shall be fined
632 not less than five hundred dollars nor more than two thousand five
633 hundred dollars and shall be required to participate in an educational
634 and training program pursuant to subsection (d) of section 17a-101, as
635 amended by this act. The Commissioner of Children and Families, or
636 the commissioner's designee, shall promptly notify the Chief State's
637 Attorney when there is reason to believe that any such person has
638 failed to make a report in accordance with this section.

639 Sec. 9. Section 17a-101c of the general statutes is repealed and the
640 following is substituted in lieu thereof (*Effective July 1, 2011*):

641 [Within] Not later than forty-eight hours [of] after making an oral
642 report, a mandated reporter shall submit a written report to the
643 Commissioner of Children and Families or [his representative] the
644 commissioner's designee. When a mandated reporter is a member of
645 the staff of a public or private institution or facility that provides care
646 for such child or public or private school [he] the reporter shall also
647 submit a copy of the written report to the person in charge of such
648 institution, school or facility or the person's designee. In the case of a
649 report concerning a school employee holding a certificate,
650 authorization or permit issued by the State Board of Education under
651 the provisions of sections 10-144a to 10-146b, inclusive, and 10-149, a

652 copy of the written report shall also be sent by the [person in charge of
653 such institution, school or facility] Commissioner of Children and
654 Families or the commissioner's designee to the Commissioner of
655 Education or [his representative] the commissioner's designee. In the
656 case of an employee of a facility or institution that provides care for a
657 child which is licensed by the state, a copy of the written report shall
658 also be sent by the [mandated reporter] Commissioner of Children and
659 Families to the executive head of the state licensing agency.

660 Sec. 10. (NEW) (*Effective July 1, 2011*) When the Commissioner of
661 Children and Families receives a report from a person not designated
662 as a mandated reporter pursuant to section 17a-101 of the general
663 statutes, as amended by this act, that such person has reasonable cause
664 to suspect or believe that any child under the age of eighteen years (1)
665 has been abused or neglected, as defined in section 46b-120 of the
666 general statutes, (2) has had nonaccidental physical injury, or injury
667 which is at variance with the history given of such injury, inflicted
668 upon such child, or (3) is placed at imminent risk of serious harm by a
669 school employee, as defined in section 53a-65 of the general statutes,
670 holding a certificate, authorization or permit issued by the State Board
671 of Education under the provisions of sections 10-144o to 10-146b,
672 inclusive, of the general statutes and section 10-149 of the general
673 statutes, a copy of such report shall be sent by the Commissioner of
674 Children and Families to the Commissioner of Education.

675 Sec. 11. Subsection (d) of section 17a-101b of the general statutes is
676 repealed and the following is substituted in lieu thereof (*Effective*
677 *July 1, 2011*):

678 (d) Whenever a mandated reporter, as defined in section 17a-101, as
679 amended by this act, has reasonable cause to suspect or believe that
680 any child has been abused or neglected by a member of the staff of a
681 public or private institution or facility that provides care for such child
682 or a public or private school, the mandated reporter shall report as
683 required in subsection (a) of this section. The Commissioner of
684 Children and Families or the commissioner's designee shall notify the

685 principal, headmaster, executive director or other person in charge of
686 such institution, facility or school, or the person's designee, unless such
687 person is the alleged perpetrator of the abuse or neglect of such child.
688 In the case of a public school, the commissioner shall also notify the
689 person's employing superintendent. Such person in charge, or such
690 person's designee, shall then immediately notify the child's parent or
691 other person responsible for the child's care that a report has been
692 made.

693 Sec. 12. (NEW) (*Effective July 1, 2011*) A local or regional board of
694 education shall provide the Commissioner of Children and Families,
695 upon request and for the purposes of an investigation by the
696 commissioner of suspected child abuse or neglect by a teacher
697 employed by such board of education, any records maintained or kept
698 on file by such board of education. Such records shall include, but not
699 be limited to, supervisory records, reports of competence, personal
700 character and efficiency maintained in such teacher's personnel file
701 with reference to evaluation of performance as a professional
702 employee of such board of education, and records of the personal
703 misconduct of such teacher. For purposes of this section, "teacher"
704 includes each certified professional employee below the rank of
705 superintendent employed by a board of education in a position
706 requiring a certificate issued by the State Board of Education.

707 Sec. 13. (NEW) (*Effective July 1, 2011*) A local or regional board of
708 education shall permit and give priority to any investigation
709 conducted by the Commissioner of Children and Families or the
710 appropriate local law enforcement agency that a child has been abused
711 or neglected pursuant to sections 17a-101a to 17a-101d, inclusive, of the
712 general statutes, as amended by this act, and section 17a-103 of the
713 general statutes. Such board of education shall conduct its own
714 investigation and take any disciplinary action, in accordance with the
715 provisions of section 17a-101i of the general statutes, as amended by
716 this act, upon notice from the commissioner or the appropriate local
717 law enforcement agency that such board's investigation will not

718 interfere with the investigation of the commissioner or such local law
719 enforcement agency.

720 Sec. 14. (NEW) (*Effective July 1, 2011*) (a) The Department of
721 Children and Families shall conduct, at least annually, random quality
722 assurance reviews of reports and investigations that a child has been
723 abused or neglected by a school employee, as defined in section 53a-65
724 of the general statutes. If, as a result of such review, the department
725 discovers any issues in any report or investigation, the department
726 shall take any necessary action to correct or satisfy such problem or
727 issue. The department shall use such reviews to assess the quality and
728 conduct of such investigations.

729 (b) The Department of Children and Families shall review, at least
730 annually, with the Department of Education all records and
731 information relating to reports and investigations that a child has been
732 abused and neglected by a school employee, as defined in section 53a-
733 65 of the general statutes, in the department's possession to ensure that
734 records and information are being shared properly. The departments
735 shall address and correct any omissions or other problems in the
736 records and information-sharing process of the departments.

737 Sec. 15. Section 17a-101d of the general statutes is repealed and the
738 following is substituted in lieu thereof (*Effective July 1, 2011*):

739 All oral and written reports required in sections 17a-101a to 17a-
740 101c, inclusive, as amended by this act, and section 17a-103, shall
741 contain, if known: (1) The names and addresses of the child and his
742 parents or other person responsible for his care; (2) the age of the child;
743 (3) the gender of the child; (4) the nature and extent of the child's
744 injury or injuries, maltreatment or neglect; (5) the approximate date
745 and time the injury or injuries, maltreatment or neglect occurred; (6)
746 information concerning any previous injury or injuries to, or
747 maltreatment or neglect of, the child or his siblings; (7) the
748 circumstances in which the injury or injuries, maltreatment or neglect
749 came to be known to the reporter; (8) the name of the person or

750 persons suspected to be responsible for causing such injury or injuries,
751 maltreatment or neglect; (9) the reasons such person or persons are
752 suspected of causing such injury or injuries, maltreatment or neglect;
753 (10) any information concerning any prior cases in which such person
754 or persons have been suspected of causing an injury, maltreatment or
755 neglect of a child; and [(9)] (11) whatever action, if any, was taken to
756 treat, provide shelter or otherwise assist the child.

757 Sec. 16. Subsection (a) of section 17a-101g of the general statutes is
758 repealed and the following is substituted in lieu thereof (*Effective*
759 *July 1, 2011*):

760 (a) Upon receiving a report of child abuse or neglect, as provided in
761 sections 17a-101a to 17a-101c, inclusive, as amended by this act, or
762 section 17a-103, in which the alleged perpetrator is (1) a person
763 responsible for such child's health, welfare or care, (2) a person given
764 access to such child by such responsible person, or (3) a person
765 entrusted with the care of a child, the Commissioner of Children and
766 Families, or the commissioner's designee, shall cause the report to be
767 classified and evaluated immediately. If the report contains sufficient
768 information to warrant an investigation, the commissioner shall make
769 the commissioner's best efforts to commence an investigation of a
770 report concerning an imminent risk of physical harm to a child or other
771 emergency within two hours of receipt of the report and shall
772 commence an investigation of all other reports within seventy-two
773 hours of receipt of the report. If the alleged perpetrator is a school
774 employee, as defined in section 53a-65, or is employed by an
775 institution or facility licensed or approved by the state to provide care
776 for children, the department shall notify the Department of Education
777 or the state agency that has issued such license or approval to the
778 institution or facility of the report and the commencement of an
779 investigation by the Commissioner of Children and Families. The
780 department shall complete any such investigation not later than forty-
781 five calendar days after the date of receipt of the report. If the report is
782 a report of child abuse or neglect in which the alleged perpetrator is

783 not a person specified in subdivision (1), (2) or (3) of this subsection,
784 the Commissioner of Children and Families shall refer the report to the
785 appropriate local law enforcement authority for the town in which the
786 child resides or in which the alleged abuse or neglect occurred.

787 Sec. 17. Section 17a-101h of the general statutes is repealed and the
788 following is substituted in lieu thereof (*Effective July 1, 2011*):

789 Notwithstanding any provision of the general statutes, [to the
790 contrary,] any person authorized to conduct an investigation of abuse
791 or neglect shall coordinate investigatory activities in order to minimize
792 the number of interviews of any child and share information with
793 other persons authorized to conduct an investigation of child abuse or
794 neglect, as appropriate. A person reporting child abuse or neglect shall
795 provide any person authorized to conduct an investigation of child
796 abuse or neglect with all information related to the investigation that is
797 in the possession or control of the person reporting child abuse or
798 neglect, except as expressly prohibited by state or federal law. The
799 commissioner shall obtain the consent of parents or guardians or other
800 persons responsible for the care of the child to any interview with a
801 child, except that such consent shall not be required when the
802 department has reason to believe such parent or guardian or other
803 person responsible for the care of the child or member of the child's
804 household is the perpetrator of the alleged abuse. If consent is not
805 required to conduct the interview, such interview shall be conducted
806 in the presence of a disinterested adult unless immediate access to the
807 child is necessary to protect the child from imminent risk of physical
808 harm and a disinterested adult is not available after reasonable search.

809 Sec. 18. Subdivision (2) of subsection (j) of section 10-145b of the
810 general statutes is repealed and the following is substituted in lieu
811 thereof (*Effective from passage*):

812 (2) When the Commissioner of Education is notified, pursuant to
813 section 10-149a or 17a-101i, as amended by this act, that a person
814 holding a certificate, authorization or permit issued by the State Board

815 of Education under the provisions of sections 10-144o to 10-149,
816 inclusive, has been convicted of (A) a capital felony, pursuant to
817 section 53a-54b, (B) arson murder, pursuant to section 53a-54d, (C) a
818 class A felony, (D) a class B felony, except a violation of section 53a-
819 122, 53a-252 or 53a-291, (E) a crime involving an act of child abuse or
820 neglect as described in section 46b-120, or (F) a violation of section 53-
821 21, 53-37a, [53a-49,] 53a-60b, 53a-60c, 53a-71, 53a-72a, 53a-72b, 53a-73a,
822 53a-88, 53a-90a, 53a-99, 53a-103a, 53a-181c, 53a-191, 53a-196, 53a-196c,
823 53a-216, 53a-217b or 21a-278 or subsection (a) of section 21a-277, any
824 certificate, permit or authorization issued by the State Board of
825 Education and held by such person shall be deemed revoked and the
826 commissioner shall notify such person of such revocation, provided
827 such person may request reconsideration pursuant to regulations
828 adopted by the State Board of Education, in accordance with the
829 provisions of chapter 54. As part of such reconsideration process, the
830 board shall make the initial determination as to whether to uphold or
831 overturn the revocation. The commissioner shall make the final
832 determination as to whether to uphold or overturn the revocation.

833 Sec. 19. Section 10-145i of the general statutes is repealed and the
834 following is substituted in lieu thereof (*Effective from passage*):

835 Notwithstanding the provisions of sections 10-144o to 10-146b,
836 inclusive, and 10-149, the State Board of Education shall not issue or
837 reissue any certificate, authorization or permit pursuant to said
838 sections if (1) the applicant for such certificate, authorization or permit
839 has been convicted of any of the following: (A) A capital felony, as
840 defined in section 53a-54b; (B) arson murder, as defined in section 53a-
841 54d; (C) any class A felony; (D) any class B felony except a violation of
842 section 53a-122, 53a-252 or 53a-291; (E) a crime involving an act of
843 child abuse or neglect as described in section 46b-120; or (F) a violation
844 of section 53-21, 53-37a, [53a-49,] 53a-60b, 53a-60c, 53a-71, 53a-72a, 53a-
845 72b, 53a-73a, 53a-88, 53a-90a, 53a-99, 53a-103a, 53a-181c, 53a-191, 53a-
846 196, 53a-196c, 53a-216, 53a-217b or 21a-278 or a violation of subsection
847 (a) of section 21a-277, and (2) the applicant completed serving the

848 sentence for such conviction within the five years immediately
 849 preceding the date of the application.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2011</i>	10-221d
Sec. 2	<i>July 1, 2011</i>	17a-28(f)
Sec. 3	<i>July 1, 2011</i>	17a-101
Sec. 4	<i>July 1, 2011</i>	17a-101i
Sec. 5	<i>July 1, 2011</i>	10-220a(a)
Sec. 6	<i>July 1, 2011</i>	10-220
Sec. 7	<i>July 1, 2011</i>	New section
Sec. 8	<i>July 1, 2011</i>	17a-101a
Sec. 9	<i>July 1, 2011</i>	17a-101c
Sec. 10	<i>July 1, 2011</i>	New section
Sec. 11	<i>July 1, 2011</i>	17a-101b(d)
Sec. 12	<i>July 1, 2011</i>	New section
Sec. 13	<i>July 1, 2011</i>	New section
Sec. 14	<i>July 1, 2011</i>	New section
Sec. 15	<i>July 1, 2011</i>	17a-101d
Sec. 16	<i>July 1, 2011</i>	17a-101g(a)
Sec. 17	<i>July 1, 2011</i>	17a-101h
Sec. 18	<i>from passage</i>	10-145b(j)(2)
Sec. 19	<i>from passage</i>	10-145i

HS *Joint Favorable C/R*

ED

ED *Joint Favorable Subst. C/R*

APP